PROPERTY—TENANCY IN COMMON—LEASE BY TENANT AND ADMINISTRATRIX OF CO-TENANT—RATIFICATION BY SOME OF THE HEIRS.—M and his co-tenant, P's administratrix, leased a part of the joint premises to the defendant's intestate. P's estate was settled and his interest in the premises distributed to his heirs, among whom were the plaintiffs. The plaintiffs, having previously obtained a judgment against the defendants annulling the lease from the date of the final accounting of the administratrix brought ejectment for the premises. The defendants claimed to hold under M, who had accepted rent, and under P's other heirs, who had consented and approved. *Held,* that the defendants were entitled to possession jointly with the plaintiffs. Wheeler, J. *dissenting. Pastine v. Altman* (1919, Conn.) 107 Atl. 803.

This decision places Connecticut in line with the more general rule that a conveyance by a tenant in common by metes and bounds is not absolutely void, as was held in *Griswold v. Johnson* (1824) 5 Conn. 363, and other early Connecticut decisions, but will be given effect so far as not prejudicial to the co-tenants. While the grantee is not entitled, as against co-tenants, to a judgment of partition giving him the exact portion of the premises covered by his conveyance, he is entitled to the use and possession of the premises in common with the others until partition is had. *Ballou v. Hale* (1867) 47 N. H. 347; see *Stark v. Barrett* (1860) 15 Calif. 361, 368. But see *Shepardson v. Rowland* (1871) 28 Wis. 108. The decision seems correct that partition, and not ejectment, is the proper remedy for plaintiffs. See 47 L. R. A. (N. S.) 573, note. Incidentally the case shows that an administrator can lease, but only during the period of settlement of the estate.

TRIAL—VERDICT—AFFIDAVITS OF JURORS.—On a motion for an appeal, the defendant offered an affidavit signed by five of the jurors that his counter-claim had not been considered in fixing the damages. The absence of the affidavits of the other seven jurors was explained. *Held,* that the court did not have the power to grant the motion, with a dictum that the affidavits were admissible, since they "do not assail the verdict in any way; they explain it . . ." *Zunino v. Parodi Cigar Co.* (1919, Sup. Ct.) 176 N. Y. Supp. 319.

The court apparently recognized the majority doctrine that affidavits by the jurors of conduct in the jury room are not admissible to impeach their verdict. But it is difficult to see how the affidavits in the instant case would not have such an effect. See (1918) 27 YALE LAW JOURNAL, 417.

WORKMEN'S COMPENSATION—CONSTRUCTION OF STATUTES.—The plaintiff brought an action against his employer for negligence in furnishing him a defective meat grinder to work with, which caused the loss of his hand. The defendant pleaded contributory negligence. The court ruled that the defendant was deprived of that defence because of his failure to elect to come under the Workmen's Compensation Act. *Held,* that this ruling was erroneous since the business in which the defendant was engaged was not within the Act. *Williams v. Schehl* (1919, W. Va.) 100 S. E. 280.

In arriving at this conclusion, the court was guided by the principle that a statute in derogation of the common law should be construed strictly. This well established rule of statutory construction has, however, been applied infrequently in construing Workmen's Compensation Acts and it has generally been held that, being highly remedial in character, they should be construed liberally to effectuate their purpose. *Milwaukee v. Miller* (1913) 154 Wis. 652, 144 N. W. 188; *Powers v. Hotel Bond Co.* (1915) 89 Conn. 143, 146, 93 Atl. 245, 247. See (1918) 27 YALE LAW JOURNAL, 419. Few jurisdictions apply the rule of the instant case. See L. R. A. 1916A 215, note.